

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 40

SENATE BILL 1349

AN ACT

AMENDING TITLE 28, CHAPTER 16, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-5812; AMENDING SECTION 28-6542, ARIZONA REVISED STATUTES; RELATING TO DISTRIBUTIONS OF VEHICLE REVENUES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 16, article 3, Arizona Revised Statutes,
3 is amended by adding section 28-5812, to read:

4 28-5812. Incorrect distributions; adjustments

5 A. IF THE DIRECTOR DETERMINES THAT ANY OF THE AMOUNTS DISTRIBUTED
6 PURSUANT TO THIS ARTICLE DURING THE PRECEDING TWENTY-FOUR MONTHS ARE
7 INCORRECT, THE DIRECTOR SHALL ADJUST FUTURE MONTHLY DISTRIBUTIONS TO CORRECT
8 ANY OVERAGES OR SHORTAGES AS PROVIDED IN THIS SECTION. THE DIRECTOR SHALL
9 DISTRIBUTE VEHICLE LICENSE TAX REVENUES IN ACCORDANCE WITH THE ADJUSTED
10 DISTRIBUTIONS DETERMINED PURSUANT TO THIS SECTION.

11 B. AN ADJUSTMENT TO THE AMOUNT DISTRIBUTED SHALL NOT BE INITIATED
12 PURSUANT TO THIS SECTION MORE THAN TWENTY-FOUR MONTHS AFTER THE ORIGINAL
13 DISTRIBUTION.

14 C. THE DIRECTOR SHALL ADJUST THE DISTRIBUTIONS AS FOLLOWS:

15 1. IN THE CASES OF OVERAGES, THE DIRECTOR SHALL REDUCE THE SUBSEQUENT
16 MONTHLY DISTRIBUTION BY THE AMOUNT OF THE OVERAGE IF THE REMAINING
17 DISTRIBUTION IS AT LEAST SEVENTY-FIVE PER CENT OF THE AMOUNT THAT WOULD
18 OTHERWISE HAVE BEEN DISTRIBUTED TO THE RECIPIENT. IF THE ENTIRE AMOUNT OF
19 THE REQUIRED ADJUSTMENT CANNOT BE MADE IN A SINGLE MONTH, THE DIRECTOR SHALL
20 REPEAT THE PROCEDURE IN SUBSEQUENT MONTHS UNTIL THE OVERAGE IS CORRECTED.

21 2. IN THE CASE OF SHORTAGES, THE DIRECTOR SHALL INCREASE THE
22 SUBSEQUENT MONTHLY DISTRIBUTION BY THE AMOUNT OF THE SHORTAGE, IF THE TOTAL
23 AMOUNT OF ALL OF THE REDUCTIONS MADE PURSUANT TO PARAGRAPH 1 DOES NOT EXCEED
24 THE REDUCTIONS IN THAT MONTH. IF THE TOTAL OF ALL REDUCTIONS IN A MONTH IS
25 LESS THAN THE AMOUNT OF THE INCREASES, THE DIRECTOR SHALL PROPORTIONALLY
26 REDUCE THE INCREASES.

27 Sec. 2. Section 28-6542, Arizona Revised Statutes, is amended to read:

28 28-6542. Incorrect distributions; adjustments

29 A. If the department determines that any of the amounts allocated and
30 distributed as provided in this ~~article~~ CHAPTER during the preceding
31 twenty-four months are incorrect, the department shall adjust future monthly
32 allocations to correct any overages or shortages as provided in this
33 section. The state treasurer shall distribute revenues in accordance with
34 the adjusted allocations determined pursuant to this section.

35 B. An adjustment to the amount allocated and distributed shall not be
36 initiated pursuant to this section more than twenty-four months after the
37 original distribution.

38 C. The department shall adjust the allocations as follows:

39 1. In the case of overages, the department shall reduce the subsequent
40 monthly allocation by the amount of the overage, if the remaining allocation
41 is at least fifty SEVENTY-FIVE per cent of the amount that would otherwise
42 have been allocated to the recipient. If the entire amount of the required
43 adjustment cannot be made in a single month, the department shall repeat the
44 procedure in subsequent months until the overage is corrected.

1 2. In the case of shortages, the department shall increase the
2 subsequent monthly allocation by the amount of the shortage, if the total
3 amount of all of the increases in any single month does not exceed the total
4 amount of all of the reductions made pursuant to paragraph 1 in that month.
5 If the total of all reductions in a month is less than the amount of
6 increases, the department shall proportionally reduce the increases.

APPROVED BY THE GOVERNOR APRIL 4, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2001.

Passed the House March 26, 20 01,

by the following vote: 50 Ayes,

6 Nays, 4 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 21, 20 01,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1349

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 29, 2001,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

Randall Smith
President of the Senate
Chaimin Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of March, 2001,

at 1:30 o'clock P M.

Stacy Marshall
Secretary to the Governor

APPROVED THIS 4th day of

April, 2001,

at 1:30 o'clock P M.

Janet Lee Hull
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of April, 2001,

at 4:50 o'clock P M.

Betsy Bayless
Secretary of State

S.B. 1349